

November 9, 1955

NEW HAMPSHIRE LAW LIBRARY

SEP 22 1998

CONCORD, N.H.

Mr. Winfield J. Phillips
Bank Commissioner
The State of New Hampshire
Concord, New Hampshire

Dear Mr. Phillips:

You have inquired whether the annual reports of small loan licenses under RSA 399:15 is information to be disseminated by you to the press particularly in regard to the number of loans outstanding and the value or the amount of notes outstanding as shown by each individual company in each city or town in the state.

This state has no general statute relating to the inspection of public records. The rules of the common law, therefore, apply. Undoubtedly the information mentioned is subject to subpoena in a proper court proceeding in which the information might be material. Loebare v. Somersworth Shoe Company, 92 N.H. 354.

The particular statute mentioned has directed you to make and publish annually an analysis and recapitulation of such reports for the entire state. Your analysis and recapitulation is undoubtedly a public record.

The individual reports appear to be submitted to you solely to permit you to perform your function of supervision. As such they are not public records available for indiscriminate inspection and should not be disseminated to the press.

Very truly yours,

George F. Nelson
Assistant Attorney General

GFN:L